

§51.3157 Damage.

Damage means any specific defect defined in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or marketing quality of the fruit. The following specific defects shall be considered as damage:

- (a) Growth cracks:
 - (1) When not healed;
 - (2) When more than one in number;
 - (3) When more than one-eighth inch in depth;
 - (4) When more than three-eighths inch in length if within the stem cavity; or,
 - (5) When more than one-fourth inch in length if outside of the stem cavity;
- (b) Heat injury, sprayburn or sunburn:
 - (1) When the skin is blistered, cracked, or decidedly flattened;
 - (2) When the normal color of the skin or flesh has materially changed;
 - (3) When there is more than one indentation; or,
 - (4) When an indentation exceeds three-sixteenths inch in diameter;
- (c) Scab or bacterial spot when cracked, or when the aggregate area exceeds that of a circle one-fourth inch in diameter on a fruit 2 inches in diameter or 4 × 4 size, or smaller; or when the aggregate area exceeds that of a circle three-eighths inch in diameter on a fruit larger than 2 inches in diameter or 4 × 4 size;
- (d) Scale or scale marks when the aggregate area exceeds that of a circle one-fourth inch in diameter;
- (e) Drought spots or external gum spots which have an aggregate area exceeding that of a circle one-fourth inch in diameter;
- (f) Scars, including those caused by hail, when the surface of the fruit is depressed more than one-sixteenth inch, or when exceeding any of the following aggregate areas, or a combination of two or more types of scars the seriousness of which exceeds the maximum allowed for any one type:
 - (1) Dark or rough scars when the area exceeds that of a circle one-fourth inch in diameter on a fruit 2 inches in diameter or 4 × 4 size, or smaller; or when the aggregate area exceeds that of a

circle three-eighths inch in diameter on a fruit larger than 2 inches in diameter or 4 × 4 size;

(2) Fairly light colored, fairly smooth scars when the area exceeds that of a circle one-half inch in diameter on a fruit 2 inches in diameter or 4 × 4 size, or smaller; or when the area exceeds that of a circle five-eighths inch in diameter on a fruit larger than 2 inches in diameter or 4 × 4 size;

(3) Light colored, smooth scars when the area exceeds that of a circle three-fourths inch in diameter on a fruit 2 inches in diameter or 4 × 4 size, or smaller; or when the area exceeds that of a circle seven-eighths inch in diameter on a fruit larger than 2 inches in diameter or 4 × 4 size;

(4) Twig or limb scratches which are not well healed or which have an aggregate length of more than one-half inch; and

(g) Russetting which exceeds any of the following aggregate areas of any one type of russetting, or a combination of two or more types of russetting the seriousness of which exceeds the maximum allowed for any one type:

(1) Rough russetting when the area exceeds that of a circle one-fourth inch in diameter on a fruit 2 inches in diameter or 4 × 4 size, or smaller; or when the area exceeds that of a circle one-half inch in diameter on a fruit larger than 2 inches in diameter or 4 × 4 size;

(2) Slightly rough russetting when the area exceeds that of a circle five-eighths inch in diameter on a fruit 2 inches in diameter or 4 × 4 size, or smaller; or when the area exceeds that of a circle three-fourths inch in diameter on a fruit larger than 2 inches in diameter or 4 × 4 size;

(3) Fairly smooth or smooth russetting when the area exceeds 25 percent of the fruit surface of Freedom, Early LeGrand, and Quetta varieties and 15 percent of the fruit surface of other varieties: *Provided*, That discoloration occurring as yellow to brown staining of the skin shall not be considered as russetting and shall be considered as causing damage only when materially detracting from the appearance of the nectarine, and that speckling characteristic of certain varieties shall not be considered as russetting or discoloration.